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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,683	09/11/2003	Mikihiko Yamada	2003_1291	4522
513	7590	12/01/2004	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			HSIA, SHERRIE Y	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/659,683		YAMADA ET AL.	
	Examiner		Art Unit	
	Sherrie Hsia		2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10, 12, 14, 18, 20-22 and 24 is/are allowed.
- 6) ☒ Claim(s) 11, 13, 15, 17, 19 and 23 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/308,776.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/30/04, 2/3/04, 9/11/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Reissue Applications

1. The original patent, or a statement as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.

2. Applicant is notified that any subsequent amendment to the specification and/or claims must comply with 37 CFR 1.173(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

OR

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lunn (4962427).

As to claims 11 and 15, Lunn disclose the claimed features, the claimed receiver receives a broadcast wave is met by the antenna 10 (Fig. 1, column 2 lines 25-26), the claimed detector detects a standard of the broadcast wave is met by the system/mode detection circuitry 22 (Fig. 3,

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column 5 line 64-column 6 line 9, column 2 line 44-column 3 line 4) and the claimed generator generate OSD data in accordance with the standard is met by the OSD circuitry 20 (Figs. 2 and 3, column 2 line 44-column 3 line 4, column 5 line 64-column 6 line 9).

4. Claims 11, 13, 15, 17, 19 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Takashimizu (6549243).

As to claims 11 and 15, Takashimizu discloses the claimed features, the claimed receiver receives a broadcast wave is met by the antenna 1 (Fig. 1, column 2 lines 60-63), the claimed detector detects a standard of the broadcast wave is met by the MPEG decoder 11 (Fig. 1, column 4 lines 12-16) and the claimed generator generate OSD data in accordance with the standard is met by the OSD circuit 12 (Fig. 1, column 3 lines 35-38, column 4 lines 45-49).

As to claim 13 and 19, Takashimizu discloses the claimed features, the claimed receiver receives a broadcast wave is met by the antenna 1 (Fig. 1, column 2 lines 60-63), the claimed separator separates a video stream and additional information from the broadcast wave is met by multiplex isolation means 5 and MPEG decoder 11 (Fig. 1, column 3 lines 31-35, column 4 lines 6-16), the claimed detector detects a standard of the broadcast wave is met by the MPEG decoder 11 (Fig. 1, column 4 lines 12-16) and the claimed output outputs the video stream and the additional information in accordance with the standard is met by the display output means 15 and audio output means 16 (Fig. 1, column 3 lines 17-19, 48-52).

As to claims 17 and 23, the claimed digital broadcast wave is disclosed by Takashimizu (column 3 line 62-64).

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5. Claims 11 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Gove (5796442).

As to claims 11 and 15, Gove discloses the claimed subject matter, the claimed receiver receives a broadcast wave is met by the RF1 (Fig. 3), the claimed detector detects a standard of the broadcast wave is met by column 4 lines 17-32 and the claimed generator generate OSD data in accordance with the standard is met by the text generator 414 (Fig. 5, column 8 lines 10-12).

Allowable Subject Matter

6. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 1-10, 12, 14, 18, 20-22 and 24 are allowable over prior art.

The prior art fails to show a television signal processor for processing a received broadcast wave and generating a television signal having the combination as claimed, including storage means for storing video data and additional information separated from the received broadcast wave and OSD data generated on a receiver, read means for respectively reading the video data, the additional information and the OSD data from said storage means, standard detection means for detecting a standard of the received broadcast wave, timing control means for respectively controlling timing of said read means for reading the video data, the OSD data and the additional information from said storage means in correspondence to the standard detected by said standard detections means, and combining means for combining the video data,

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the OSD data and the additional information read by said read means as combined data to output the combined data as the television signal, as recited in claim 1.

The prior art fails to show or fairly suggest a television signal processor and method having the combination as claimed, including a separator operable to separate a video stream and additional information from received broadcast wave, a generator operable to generate OSD data, a detector operable to detect a standard of the received broadcast wave, a timing information generator operable to generate each timing information of the video stream, the OSD data and the additional information, the timing information depending on the standard, and a mixer operable to mix the video stream, the OSD data and the additional information in accordance with the timing information, as recited in claims 7 and 9.

The prior art fails to show or fairly suggest a television signal processor and method having the combination as claimed, including a separator operable to separate a video stream and additional information from received broadcast Waves, a generator operable to generate OSD data, a storage operable to store the video stream, the additional information and the OSD data, a detector operable to detect a standard of the received broadcast wave, a timing information generator operable to generate each timing information of the video stream, the OSD data and the additional information, the timing information depending on the standard, and a reader operable to read the video stream, the additional information and the OSD data respectively from the storage in accordance with timing information, as recited in claims 8 and 10.

The prior art fails to show or fairly suggest a receiving apparatus having the combination as claimed, including a receiver operable to receive a broadcast wave, a separator operable to separate a video stream from the broadcast wave, a generator operable to generate OSD data, a

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detector operable to detect a standard of the broadcast wave, a timing information generator operable to generate each timing information of the video stream and the OSD data, the timing information depending on the standard, and a mixer operable to mix the video stream and the OSD data in accordance with the timing information, as recited in claim 12.

The prior art fails to show or fairly suggest a receiving apparatus having the combination as claimed, including receiver operable to receive a broadcast wave, a separator operable to separate a video stream and additional information from the broadcast wave, a generator operable to generate OSD data, a detector operable to detect a standard of the broadcast wave, a timing information generator operable to generate each timing information of the video stream and the additional information, the timing information depending on the standard, and a mixer operable to mix the video stream and the additional information in accordance with the timing information, as recited in claim 14.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (703) 305-4738.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is (703) 308-HELP.


Sherrie Hsia
Primary Examiner
Art Unit 2614

SH
November 29, 2004